REMARKS

Claims 1-90 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Finality of the Action:

The present Action has been improperly made final. The Examiner states that the new grounds of rejection were necessitated by Applicant's amendment. However, no amendment to the claims were submitted in response to the previous ground of rejection. Therefore, the new ground of rejection was clearly necessitated by the arguments presented in Applicant's previous response, not by an amendment. The Examiner can not go back and rely on old amendments to justify a new ground of rejection where the previous rejection was clearly overcome by arguments alone. Accordingly, per MPEP 706.07(a) the finality of the present Action is improper and must be withdrawn.

Section 102(b) Rejection:

The Examiner rejected claims 1-29, 31-59 and 61-89 under 35 U.S.C. § 102(b) as being anticipated by Shah et al. (U.S. Patent 7,039,922) (hereinafter, "Shah"). Applicant traverses this rejection for at least the following reasons.

Shah fails to teach or suggest all of the limitations of Applicant's claim 1. Specifically, Shah fails to teach or suggest a method comprising a host system receiving from a fabric coupled to the host system an event indicating a fabric state change for one or more host adapter ports of the host system, and the host system dynamically changing the host system's fabric device configuration in response to the receiving an event, wherein the host system dynamically changing comprises the host system bringing online or taking offline one or more fabric devices for the one or more host adapter ports for the host system.

Shah is directed to a fabric-based cluster interface for interfacing hosts with fabric-attached input/output (I/O) controllers (Abstract). As illustrated in Fig. 2 and described at col. 3, lines 29-67, Shah discloses a typical embodiment that includes hosts 210 and 212, a fabric 202, and I/O units 1 and 2 coupled to fabric 202. In turn, I/O units 1 and 2 couple to I/O controllers 1-3, which couple to a number of fabric or I/O devices 222, 224, 232, 234. Shah discloses that the fabric or I/O devices may encompass "storage devices" such as hard drives or tape drives.

As shown in Fig. 2 and alternative embodiments shown in Figs. 3-4, Shah clearly distinguishes between I/O units, I/O controllers and the fabric devices that are managed by the I/O controllers. Further, the entire discussion of fabric management in Shah takes place at the level of I/O units and controllers, not fabric devices. In Fig. 7 and at col. 8, line 24 – col. 10, line 62, Shah discloses a central network manager 710 including fabric services 712 and I/O controller manager 714. Shah describes fabric services 712 as being configured to detect the attachment of I/O units 1 and 2 to fabric 202 and to assign a network address (e.g., a Media Access Control (MAC) address) to the attached I/O units (col. 8, lines 48-53). Subsequently to a MAC address being assigned, Shah describes I/O controller manager 714 as being configured to identify the I/O controllers connected to the I/O unit, such as by querying the individual I/O units (col. 8, lines 64-67). After identifying the attached I/O controllers, Shah discloses that I/O controller manager 714 is configured to determine which hosts are allowed to access each of the I/O controllers and to send messages to the hosts indicating the I/O controllers they may access (col. 9, lines 9-29).

Nowhere within the disclosure does Shah specify that any types of fabric management tasks are performed at the level of the fabric devices themselves. Rather, the level of management granularity described by Shah is restricted to that of I/O controllers, which as shown in Fig. 2 may control more than one fabric device. Assigning MAC addresses to I/O units and assigning I/O controllers of those I/O units to hosts, as described by Shah, is in no way suggestive of a host system dynamically changing its fabric device configuration in response to receiving a fabric state change

event, where changing the fabric device configuration comprises the host system *bringing online or taking offline one or more fabric devices* for the one or more host adapter ports for the host system, as required by Applicant's claim 1. Aside from mentioning that fabric devices may include storage devices, Shah does not mention any details of device-level configuration or operation. Further, the device-level configuration required by claim 1 cannot be fairly implied from the controller-level configuration disclosed by Shah, since these two types of configuration pertain to completely different levels within the fabric hierarchy. Applicant further notes that the features of claim 1 absent from Shah are also absent from the Shah '380 reference mentioned below.

Similar arguments apply to independent claims 31 and 61, which recite limitations similar to those of claim 1. Thus, for at least the foregoing reasons, Applicant submits that the rejection of the independent claims is unsupported by the cited art. Applicant notes that the rejections of numerous ones of the dependent claims are also unsupported by the cited art. However, as the rejections of the independent claims have been shown to be unsupported, further discussion of the dependent claims is unnecessary at this time.

Section 103(a) Rejection:

The Examiner rejected claims 30, 60 and 90 under 35 U.S.C. § 103(a) as being unpatentable over Shah as applied to claims 1-29 above, and further in view of Shah et al. (U.S. Patent 6,889,380) (hereinafter "Shah '380"). Applicants traverse this rejection for at least the reasons given above for independent claims 1, 31 and 61.

CONCLUSION

Applicant submits the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-83600/RCK.

Respectfully submitted,

/Robert C. Kowert/
Robert C. Kowert, Reg. #39,255
Attorney for Applicant

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8850

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